

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DANIEL F. HERRERA, and MILDRED HERRERA,

Plaintiffs,

v.

No. 6:10-cv-01183-MV-RHS

KATHERINE CROSSLAND and
GOVERNMENT EMPLOYEES INSURANCE COMPANY,

Defendants.

MOTION TO DISMISS

COME NOW, the Defendants Katherine Crossland and Government Employees Insurance Company, by and through their undersigned attorneys and move the Court for an Order of Dismissal with Prejudice of all claims which have been made or could be made, in the above-captioned cause against them and as grounds therefore, state that the Plaintiffs Daniel F. Herrera and Mildred Herrera, and Defendants Kathrine Crossland and Government Employees Insurance Company, have resolved their differences and there no longer remain issues pending before the Court. Plaintiff's counsel has been contacted regarding the Motion to Dismiss and concurs.

SIMONE, ROBERTS & WEISS, P.A.

/s/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of November, 2011, I filed the foregoing

electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means as more fully reflected on the Notice of Electronic Filing and/or addressed as follows:

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/s/ Stephen M. Simone
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